

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INTERSTATE POWER AND LIGHT COMPANY	DOCKET NOS. WRU-03-13 RPU-02-7
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ORDER GRANTING WAIVER OF PAGE LIMITS

(Issued April 22, 2003)

On January 10, 2003, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed with the Utilities Board (Board) a request for a waiver of the page limits on the length of briefs in 199 IAC 7.7(12)"d." Consumer Advocate states that the Board waived the page limits for briefs in consolidated Docket Nos. RPU-02-3, RPU-02-8, and ARU-02-1 and this case involves many of the same issues, plus issues unique to the utility operations. Consumer Advocate expects both its initial brief and reply brief to exceed the page limits.

To grant a waiver the Board must find based upon clear and convincing evidence the four criteria of 199 IAC 1.3 are met. In this instance, no party has filed an objection to the waiver and, with the complexity of the issues in this docket, it would be an undue hardship to hold Consumer Advocate to the page limits in 199 IAC 7.7(12)"d." Additionally, the Board finds that waiver of the page limits will not prejudice the substantial legal rights of any person and the page limits are not

mandated by statute. The Board also finds that equal protection of public health, safety, and welfare will not be affected by this waiver.

Since the waiver request meets the four criteria in 199 IAC 1.3 and no party has objected, the Board will grant the waiver.

IT IS THEREFORE ORDERED:

The "Request For Waiver" filed by the Consumer Advocate Division of the Department of Justice on March 14, 2003, is granted.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 22nd day of April, 2003.